

6218. Adulteration and misbranding of tankage. U. S. * * * v. 480 Bags of Tankage. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8843. I. S. No. 11832-p. S. No. C-831.)

On March 6, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 480 bags, each containing 125 pounds of tankage, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on February 14, 1918, by the Chicago Feed & Fertilizer Co., Osborn, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it was represented to the purchaser to contain not less than 10 per cent of ammonia, whereas, in truth and in fact, a product containing less than 10 per cent of ammonia had been substituted in part for the article; and for the further reason that it contained an added deleterious ingredient, to wit, glass, which might render the article injurious to health.

Misbranding of the article was alleged in substance for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight or measure.

On March 26, 1918, the said Chicago Feed & Fertilizer Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article should be sold to be used for fertilizer.

G. I. CHRISTIE, *Acting Secretary of Agriculture.*